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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,210	04/23/2001	Mohammed Khalil	NL000191	3949

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

LOPEZ, CARLOS N

ART UNIT PAPER NUMBER

1731

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b> 09/840,210	<b>Applicant(s)</b> KHALIL ET AL.	
	<b>Examiner</b> Carlos Lopez	<b>Art Unit</b> 1731	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 08 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☒ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-8.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: The request for reconsideration has been considered but does not place the application in condition for allowance.

Applicant traverses the rejection made under Torok by arguing that "It is while cooling that the temperature remains below the strain point temperature. Residual re-heating does not cause the temperature to rise above the strain point temperature". Said argument is found unpersuasive because said limitation argued by applicant is not recited in the claims. Claim 1 only recites "cooling the formed glass pane such that surface temperatures of the inner corners remain below a strain point temperature" which explicitly shows it can't be interpreted as argued by applicant. It is noted that said cooling limitation reads on a glass that inherently is cooled to be used as final component product which would thus have corners that remain below the strain point temperature as noted in the final rejection, page 5. Additionally it is noted that if it is even assumed that the produced glass reheats it would consequently have a final cooling step, natural cooling or by annealing, that would have the inner corners remain below the strain point temperature to thus be used as final glass component product. In regards to Applicant's arguments that the Examiner has misread Torok, said argument is irrelevant. The "examples" in the body of the rejection have been cited to further explain the process of Torok and do not correspond to any claimed limitation.

It is also noted that the instant claims recites the limitation of "below a strain point" but does not specify below what strain point. Is it the strain point of a glass, a metal or plasma?

Applicant traverses the rejection made under d'Iribarne as evidenced by Littleton by arguing that d'Iribarne only cools the edges and not the inner corners. However, the inner corners are considered as forming the glass edges. Cooling of the glass edges of the d'Iribarne glass would consequently cool the glass edge inner corner. Furthermore, Applicant has not clearly defined what distinguishes cooling of glass edges as opposed to cooling inner corners specifically when dealing with glass since removal of heat from the edges would also remove heat from the inner corners forming the edges. Cooling the glass panel by exposing its edges would obviously cool its inner corners forming the edges due to the high heat transfer coefficient of the glass.

Applicant also argues that Littleton does nothing to close the substantial gap between claim 1 and d'Iribarne because "it does not suggest a method of press forming a display tube and then cooling inner corners such that the inner corner surface temperature remains below a strain point temperature." Said Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.


Additionally, applicant's amendment to claim 6, obviates the objection to the specification made in the final office action on 1/6/04.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lopez whose telephone number is 571.272.1193. The examiner can normally be reached on Mon.-Fri. 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571.272.1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CL.

  
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